

Maryland Agricultural Commission Appointment Package

Thank you for your interest in the Maryland Agricultural Commission. The Maryland Agricultural Commission is appointed by the Governor of Maryland and serves as an advisory body to the Secretary and Deputy Secretary of Agriculture. The Commission consists of 30 members representing various commodities across Maryland, and includes both a consumer and a University of Maryland (ex officio) representative.

The Commission currently pursues the following priorities and activities;

- Encouraging the agricultural community to be more pro-active on issues affecting agriculture and rural life.
- Evaluating farm/agriculture industry labor and regulations.
- Increasing public awareness of food safety.
- Supporting the department's efforts to promote agriculture.

The Commission meets the second Wednesday of each month throughout the year, except during the months of April and October. Monthly meetings are from 9:00 am until noon at the Maryland Department of Agriculture in rooms 114 and 112. In the months of April and October the Commission conducts spring and fall farm tours. Commissioners are required to attend a minimum of six meetings a year and submit monthly reports.

Please contact Jessica Armacost at 443-883-0217 or via email at Jessica.Armacost@maryland.gov should you have any questions.

Check sheet

- _____ Biographical Information Form (2 pages)
- _____ Appointee Exemption Disclosure Form (1 page)
- _____ Additional Information form (1 page)
- _____ Resume
 - Education
 - Agriculture Background
 - Work History
 - Affiliations
- _____ Letter for endorsement from respective industry organization(s) (optional)

Incomplete applications will not be considered

Completed application packages may be returned to:

**Maryland Agricultural Commission
Executive Secretary Jessica Armacost
50 Harry S Truman Parkway, Room 301
Annapolis, MD 21401**

OFFICE OF THE GOVERNOR
REQUEST FOR APPOINTMENT CONSIDERATION
BIOGRAPHICAL INFORMATION FORM

Please state below, the board or commission or general subject area in which you have an interest:

Commission Name: Maryland Agricultural Commission **Position:** _____

Application for:		<input type="checkbox"/> New Appointment		<input type="checkbox"/> Reappointment		Date:	
Name:							
Date of Birth:				<input type="checkbox"/> US Citizen		<input type="checkbox"/> Registered Voter	
MD resident since _____							
Race:		Gender:		(Ethnic/gender data is solely to assure diversity in representation)			
Home Address:							
City:				State:			
Zip:							
Resident County:							
MD Legislative District:				MD Congressional District:			
Council or Commission District:							
Occupation:							
Employer:							
Work Address:							
City:				State:			
Zip:							
Phones:		(Office):				(Home):	
(Cell):				(Fax):			
Email Address:							
Sponsoring Organization (If Any):							
Have you ever been a party (plaintiff or petitioner/defendant or respondent) to any civil, criminal, juvenile or administrative proceeding?							
<input type="checkbox"/> No		<input type="checkbox"/> Yes (Specify):					
Do you hold a Maryland license to practice a profession or trade?							
<input type="checkbox"/>		Yes		<input type="checkbox"/>		No	
If yes, specify License:							
Have you ever had a license to practice a profession or trade, whether held in Maryland or another state, revoked or suspended?							
<input type="checkbox"/> No		<input type="checkbox"/> Yes (Specify):					
Are you a member, officer or director of any organization?							
<input type="checkbox"/>		Yes		<input type="checkbox"/>		No	
Specify Organization or Activity:							
If so, are you engaged in any lobbying activities for that organization?							
<input type="checkbox"/>		Yes		<input type="checkbox"/>		No	

Are you a paid lobbyist for any organization?					
If so, please specify the organization		<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
Do you hold, or have you held in the past, an elected or appointed office within Federal, State or local government, or a political party?		<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
Specify Office:					
Specify Dates:					
Have you filed all Federal and State tax returns that are now due or overdue and are all payments thereupon up to date?					
<input type="checkbox"/> Yes	<input type="checkbox"/> No (Explain):				
Have Federal, State or local authorities ever instituted a lien or other collection procedures against you?					
<input type="checkbox"/> No	<input type="checkbox"/> Yes (Explain):				
List the names, business addresses, and business telephone numbers of at least 2 individuals who are familiar with your professional qualifications and who have known you for more than the last five years:					
1.					
2.					
Please attach a resume that includes information concerning your academic background, work experience and professional, political and civic organization affiliations.					
<u>ORGANIZATIONAL AFFILIATIONS:</u>					
I certify that, to the best of my knowledge and belief, all the information contained in and attached to this questionnaire is true, correct and complete. I understand and agree that I am required to notify the Office of the Governor in writing if any of the information contained in or attached to this questionnaire changes.					
Signature of applicant: _____			Date: _____		
<p>Completed forms may be returned to: Maryland Department of Agriculture Maryland Agricultural Commission 50 Harry S. Truman Parkway, Room 301 Annapolis, MD 21401</p> <p>Phone: 410-841-5882 Fax: 410-841-5894 Email: Jessica.Armacost@maryland.gov</p>					
<p style="text-align: center;"><i>Internal Use Only</i></p> <p>CR: GS: TQ: E:</p>					

APPOINTEE EXEMPTION DISCLOSURE FORM

PART I:	
NAME:	
ADDRESS:	
BOARD/COMMISSION NAME:	Maryland Agricultural Commission
PART II:	
Please Check Item(s):	Exemption Requested:
	<input type="checkbox"/> No (If no, check box and skip to Part 3, Signature)
	<input type="checkbox"/> Yes (If yes, check box and complete rest of Part 2 and 3)
I request exemption for: <input type="checkbox"/> Financial Interest <input type="checkbox"/> Employment	
Financial Interest	Employment
Name of Entity where the financial interest exists:	Employment to be Exempted:
Address of Entity:	Your Position/Job Title:
Interest to be Exempted:	
Current Value: <input type="checkbox"/> Under \$1,000 <input type="checkbox"/> \$1,000-\$5,000 <input type="checkbox"/> \$5,000-\$10,000 <input type="checkbox"/> \$10,000 or More	
Indicate below the reasons why the interest/employment would be in conflict of interest at the time of appointment, or the reasons why past transactions indicate that future similar transactions would cause a conflict of interest if appointed without the exemption. For example, is the entity in which the interest is held regulated by the agency/department in which you would be serving, or does it sell goods and services to these agencies? For more information regarding the kinds of relationships that may cause a conflict of interest, consult the attached '15-502 of the Maryland Public Ethics Law), State Government Article, Annotated Code of Maryland. You may also contact the State Ethics Commission for additional information at (410) 321-3636.	
PART 3:	
Appointee Name:	Signature: Date:

Completed forms may be returned to:
Maryland Department of Agriculture
Maryland Agricultural Commission
50 Harry S. Truman Parkway, Room 301
Annapolis, MD 21401

Phone: 410-841-5882

Fax: 410-841-5894

Email: Jessica.Armacost@maryland.gov

Maryland Agricultural Commission
Additional Information Form

Name: _____

Are you (or your business) in any way regulated by or subject to the regulatory authority of the Maryland Department of Agriculture in any of the following programs? Please check or **BOLD** all that apply.

- ☐ Weights and Measures
- ☐ Maryland Agricultural Land Preservation program
- ☐ Maryland Agricultural Cost-Share program
- ☐ National Tobacco Growers Settlement Trust
- ☐ Tobacco Buy-Out program
- ☐ Pesticide Regulation
- ☐ Turf and Seed
- ☐ Weed Control
- ☐ Apiary and Nursery
- ☐ Organic Certification
- ☐ Animal Health, including Veterinary licensing
- ☐ Fairs and Shows

- ☐ No, I (and my business) am not regulated by or subject to the regulatory authority of the Maryland Department of Agriculture in the programs listed above.

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50 Harry S. Truman Parkway, Room 301
Annapolis, MD 21401

Phone: 410-841-5882

Fax: 410-841-5894

Email: Jessica.Armacost@maryland.gov



COMMISSION MEMBERS:
PAUL M. VETTORI, *Chairman*
ROBERT G. BLUE
JULIAN L. LAPIDES
ANDREA LEAHY-FUCHECK
JACOB YOSEF MILIMAN

STATE ETHICS COMMISSION

MICHAEL W. LORD
Executive Director
JENNIFER K. ALLGAIR
General Counsel
WILLIAM J.
COLQUHOUN
Staff Counsel
KATHERINE P.
THOMPSON
Assistant General Counsel

October 1, 2012

TO: Prospective Appointees to Maryland Boards and Commissions

SUBJECT: Instructions - Appointee Exemption Disclosure Form/Partial Ethics Law Exemptions

(Note: These instructions are applicable to individuals who are under consideration for an appointment or reappointment to a specific board, commission or similar State body.)

The General Rule:

Section 15-502(b) of the State Ethics Law (Md. Code Ann., State Gov't Article, Title 15) prohibits members of boards, commissions and similar State bodies from holding employment with, or having a financial interest in, any entity regulated by the member's board or (if applicable) the State agency with which the board is affiliated, or any entity which is negotiating or has entered into a contract with the board or its affiliated State agency. This provision also prohibits holding any other employment that, although not doing business with or regulated by the board or its affiliated agency, would impair the board member's impartiality and the independence of judgment required of a board member. Employment includes salaried or hourly employment, commission, working at a business you own even if not salaried, or serving on the board of or as an officer of a profit, non-profit, or professional organization even if not compensated.

The Exemptions:

Normally the existence of one of the foregoing conflicts would bar your service on a board. However, the Ethics Law provides for two exemptions from the prohibitions set forth in § 15-502(b) that are uniquely applicable to members of boards, commissions, or similar bodies as follows:

- 1) **Section 15-502(c)(2)** provides an exemption for a public official who is appointed to a regulatory or licensing unit pursuant to a statutory requirement that entities subject to the jurisdiction of the unit be represented in appointments to it. For example, the State Board of Plumbing, which has authority to enforce the State Plumbing Code, is comprised (by statute) largely of plumbers. These persons are exempted from §15-502(b) by operation of law and, therefore, do not need to request an exemption.
- 2) **Section 15-502(c)(4)** provides an exemption for a member of a board or commission who holds the conflicting employment or financial interest when appointed or reappointed if the employment or financial interest is publicly disclosed to the appointing authority (the individual who formally appoints you to the board or commission), the Ethics Commission, and, if applicable, the Senate of Maryland before Senate confirmation.

Requesting an Exemption:

If you require the exemption described in paragraph 2, above, you must request the exemption at the time of the appointment or reappointment, using the attached Appointee Exemption Disclosure form. If, after the required disclosure the appointment or reappointment is made and confirmed, the exemption is granted as to the employment and/or financial interests that would otherwise be disqualifying. The purpose of the exemption is to allow the appointing authority to find qualified people and make appointments and reappointments with full knowledge of conflicting financial interests or employment and to prevent the need for newly appointed or reappointed people who wish to serve to automatically divest themselves of certain interests or employment.

How the Exemption Works:

If the disclosure is accepted and you are appointed, the exemption will apply as follows:

- 1) The conflicting financial interest or employment that is disclosed at the time of appointment or re-appointment will be exempted as to that disclosure or as to subsequent identical or similar transactions, for the entire term of the appointment. In addition to current conflicts, this provision addresses employment or financial interests that existed in the past and are likely to occur in the future. So, for example, if you disclose ownership of a food service company (catering business) that is doing or has done business with your board or oversight agency in the past and is likely to do so in the future, any current or future catering work will be exempted, even if the future work involves a series of additional transactions.
- 2) The exemption will not apply to entirely new types of activities that arise out of the disclosed employment or interests. In the example of the food service company discussed in paragraph 1, above, if after the appointment the business expands into janitorial services, the janitorial services would not be exempted from the provisions of §15-502(b).
- 3) The exemption applies only to conflicts created by your financial interests or employment. You will not be exempted from the other conflict of interest provisions of the Ethics Law even if the conflict arises from the disclosed interests or employment. For example, in the food service company example, you could continue your business if granted the exemption, but in accordance with the Ethics Law's participation restrictions, you could not participate in board decisions involving the purchase of food services from your firm, and in accordance with the use of prestige restrictions you could not use the prestige of your office to convince your board or affiliated agency to maintain or expand contracts with your business.
- 4) The exemption is not available to State employees who are appointed to Statewide boards and commissions.

Where to Call for Guidance:

If you require additional information involving the State Ethics Law generally or about the details discussed in this memorandum, please call the State Ethics Commission at 410-260-7770 for assistance. For more information concerning a specific appointment or the processing of an exemption request, please contact the appointing authority. It is the appointing authority and the Senate (if confirmation by the Senate is required) who decide whether to grant the exemption, not the State Ethics Commission. The Ethics Commission's involvement is limited to resolving issues that may arise regarding the scope of the exemption or whether the exemption complies with the statutory requirements.